

7.

Until approximately 6-8 months ago, I used a Company-supplied laptop. Presently, I use a Company-supplied iPad. I use those devices to access various programs for my job, including WorkAssure, a program that provides me with the work orders I am assigned throughout the workday.

8.

On the weekly meeting day, I will normally drive directly to the office without checking my job assignments on WorkAssure. I may start it up at some point en route or before I leave my house just so I can clock in through WorkAssure when I arrive at the facility.

9.

On non-meeting days, I will open up WorkAssure at my house for the sole purpose of finding out where my first job of the day is. This is something my supervisors have stressed to me – that the only thing we should be doing at home prior to our shifts is to use the program to find out where we need to go. Once I find out where my first job is, I will finish my preparations to leave for the day. When I was using the laptop, it only took a couple of minutes, at the very most, to load up WorkAssure and find out my first job. Now that I am using the iPad, it takes even less time – a few seconds – to find out my first job.

10.

If I estimate that my job is 30 minutes or more away, I will leave my house by 7:30 a.m., but no earlier. If the job is closer, I will time it so I leave my house with enough time to get to the customer location shortly before the start of my shift at 8:00 a.m. If I am still driving to the customer location at the start of my shift, I will pull over and clock in and then finish my drive.

11.

Other than determining my first job in WorkAssure, I don't spend any additional time analyzing my assigned jobs or taking an "inventory" of my van to make sure I have the equipment I need for the jobs. As a general matter, I make sure, during my shift, that I have all the equipment I need to perform my jobs, and because I'm working in my van throughout the day, I always have a good idea of my equipment levels. If I find that I don't have the equipment I need to finish a work order, whether it's my first job or sometime later in the day, I would simply call a lead or supervisor and ask them to make arrangements to get me the necessary equipment.

12.

I check the Company van each morning at home before I drive it simply to make sure it is safe to drive. This involves very basic things like making sure the windows are de-iced and defrosted. I look at this as a common-sense thing to do since I obviously do not want to drive a vehicle when it is not safe to do so. Further, these are precautions I would take (and do take) any time I drive my personal vehicle.

13.

I am allowed to use the Company van for minor personal errands if those tasks are along my route. I have used the van to pick up snacks, for example, and never had any issues.

14.

I have never pre-called a customer prior to the start of my shift. Generally, I will stop somewhere close to the customer location around the start of my shift, clock in, and then call the customer to let him or her know I will be there shortly.

15.

At the end of the day after I have driven home and parked the van, I will take out my iPad, signal meter and cell phone. During the winter months, I will also take out a few tools that have batteries. I can take all of these items in with me from my van in a single trip.

16.

My Company van is equipped with a power adapter that allows me to charge my equipment throughout the day.

17.

For the past 6 months or so, I have punched in and out for my lunches. Prior to that, the Company automatically deducted 30 minutes for my lunches. Personally, I have always been able to take my full lunch. I understand, however, that, during the time lunches were automatically deducted, if I had been unable to take my lunch, I could tell my supervisor and he or she would make sure I was paid for that time.

18.

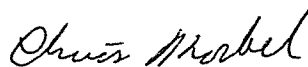
I understand that I am not required to provide the testimony in this declaration. I further understand that it would be a violation of the Company's policy for anyone to retaliate against me for providing or refusing to provide the testimony in this declaration. I have agreed to notify the Company immediately if I ever believe I am being subjected to any retaliation in violation of the Company's policies.

[SIGNATURE ON FOLLOWING PAGE]

I have provided this declaration voluntarily without any promise of benefit or threat of any kind. Prior to signing this declaration, I was advised of my right to seek independent legal advice, and was provided with a full opportunity to carefully review this declaration and freely make any corrections and additions of any kind. I verify that the information I have provided in this declaration is true and correct.

PURSUANT TO 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 22 day of January, 2016 at Buffalo, New York.



CHRIS KORBEL

DECLARATION OF TODD LAFEX

I, Todd LaFex, do hereby declare as follows, based upon my personal knowledge of the matters contained herein:

1.

I am over 18 years of age and competent to testify to the matters stated in this declaration. I make this declaration based upon my personal knowledge. This declaration is given voluntarily. I have not been promised any benefit, coerced or threatened in any manner in exchange for the testimony in this declaration.

2.

In 2013, I began my employment with Time Warner Cable as a Field Technician at the Company's Fair Lakes, NY office. I have had approximately two supervisors during my employment with the Company. During my employment I have worked primarily in the City of Syracuse and surrounding areas.

3.

When I was hired by the Company, I received training concerning the Company's timekeeping procedures, including instructions on the procedures for accurately recording all of my hours of work. I was informed during training and by each of my supervisors stressed to me the importance of recording all the time I worked. At the beginning of my employment, I used a phone to clock in and out at the beginning and end of my shift and for lunch. About a month thereafter, I was provided with a Company laptop with a program called WorkAssure that I used to punch in and out until mid-2015, when the Company provided us with iPads with the same WorkAssure application.

4.

If there is ever time that I believe I have worked but that is not captured in the Company's timekeeping system, I just send my supervisor an email and he adjusts my timecard. I have never had my supervisor deny my request for an adjustment to my timecard. If I forget to punch or have trouble accessing the system, my supervisor will always adjust my timecard. The Company has never failed to pay me for all the time that I work and I have never heard any complaints in meetings regarding other Field Technicians not being paid for all the time that they worked.

5.

As a Field Technician, my job duties primarily consist of traveling to Time Warner Cable customer residences and installing, removing and repairing services. To perform those duties, the Company provides me with a van that is stocked with all necessary equipment, such as wiring, connectors, cable boxes, and modems.

6.

Approximately six weeks after I began my employment, I was offered the option to participate in a program where I was allowed to take a Company van to my home at the end of each day instead of parking it at a Company facility. Then, each morning, on days when I did not first go to the office (typically each day except Thursday), I would drive directly from my home to the customer location where my first job was assigned.

7.

I chose to take my vehicle home each night so that I could commute from my home to my first job of the morning without having to stop at the Company's facilities. Additionally, I chose this option because it saves me time at the beginning of each day and the end of the day, it saves me money on gas, insurance, and wear and tear on my personal vehicle.

8.

Currently, to determine where my first job of the day is each day, I log in to WorkAssure at approximately 7 am at my home for the sole purpose of finding the address of my first job. This takes me less than a minute to load WorkAssure and look at the location of my first job on my iPad. With my laptop, it took approximately 3-4 minutes to load the computer and log in to WorkAssure to view the location of my first job.

9.

After looking at the first job location of the day, I have a cup of coffee, eat breakfast or take a shower, depending on what time I need to leave to commute to the first job. I do not perform any inventory of my equipment, plan my route for the day, or look at the specific details of any particular job I have that day. I am not aware of any policy requiring me to perform inventory, plan my route (which is done automatically through WorkAssure), or look at job details while I'm at home. I just follow the schedule of jobs set in WorkAssure and I do not plan my own routes.

10.

The only inventory I perform of my equipment is during our Thursday meetings, where I stock up with equipment for the next week and return equipment that needs to come back in. All inventory I perform is done on the clock and I almost always have all the equipment I need for the week on the truck. I clock in for Thursday meetings when I arrive at the warehouse (typically around 8 am), attend my meeting, stock my truck and, when necessary, perform our monthly truck safety check. All of this occurs while I am on the clock. On the rare occasion where I am in the field and need a piece of equipment for a job that is not on my truck, I can call another tech, a lead tech, or my supervisor to bring me the equipment. All of this occurs while I am clocked in.

11.

Before leaving my house, I perform a basic safety check of my vehicle by walking around the outside of the vehicle and making sure I don't have a flat tire and that my ladders and cones are strapped on so that it is safe to commute to my first job. There is no paperwork

required for this check and the entire check takes less two minutes. Further, when I drive my own vehicle, I also make sure that I don't have a flat tire and that the vehicle is safe to drive.

12.

After I leave my home to drive to the first job location of the day, I occasionally stop for coffee, but I generally try to be at my first job by 8 am, the start of my shift, to clock in. I have never been disciplined for making minor personal stops during my commute. I do not make or receive work-related phone calls during my commute. If I do speak with my supervisor or another tech before I clock in it is just to say "good morning" or to say "hello." I do not start getting or making work-related phone calls until after I am clocked in. Similarly, I am not required to look at my emails or make or receive work related phone calls prior to clocking in or after clocking out. I do not spend more than five minutes a day looking at emails and I almost always view emails while I am on the clock.

13.

I take a 30-minute lunch break each day and I clock in and out. I do not perform any work activities during my lunch break. I always take my lunch break.

14.

At the end of the day, when I finish my last job, I clock out and drive home. I rarely, if ever, make any stops on the way home. At night, when I arrive home, I bring in my iPad (and previously my laptop) and, on occasion my signal meter (DSAM). I understand that I am not required to bring in any equipment to my home other than my laptop. When I bring in the laptop and choose to bring in the DSAM, I can do this in one trip while I am walking to the house. This process does not add any time to my day. When I get into the house, I choose to plug in my iPad (and previously my laptop). I have never been instructed to charge my laptop or any other equipment at night. It only takes seconds to plug in my iPad or laptop. Generally, I charge all of my equipment in my truck each day. After I get home and plug in my laptop, I am done working for the day.

15.

I believe I have been paid for all the time I have worked while employed with the Company, including overtime pay, and am not aware of any other Field Technicians who have not been paid properly by the Company.

16.

I understand that I am not required to provide the testimony in this declaration. I further understand that it would be a violation of the Company's policy for anyone to retaliate against me for providing or refusing to provide the testimony in this declaration. I have agreed to notify the Company immediately if I ever believe I am being subjected to any retaliation in violation of the Company's policies.

16. 17 (TL)

I have provided this declaration voluntarily without any promise of benefit or threat of any kind. Prior to signing this declaration, I was advised of my right to seek independent legal advice, and was provided with a full opportunity to carefully review this declaration and freely make any corrections and additions of any kind. I verify that the information I have provided in this declaration is true and correct.

PURSUANT TO 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 19th day of January, 2016 at East Syracuse, New York.



TODD LAFEX

DECLARATION OF TREVOR LEMPICKI

I, Trevor Lempicki, do hereby declare as follows, based upon my personal knowledge of the matters contained herein:

1.

I am over 18 years of age and competent to testify to the matters stated in this declaration. I make this declaration based upon my personal knowledge. This declaration is given voluntarily. I have not been promised any benefit, coerced or threatened in any manner in exchange for the testimony in this declaration.

2.

I have worked for Time Warner Cable as a Field Technician for approximately 6 years. I have worked out of the Middletown office the entire time. I work the 8:00 a.m. to 4:30 p.m. shift.

3.

I understand that Company policy requires technicians to be clocked in any time they are performing work for the Company. I have never been pressure to work off the clock. If there are any problems getting clocked in when I am working, I can simply let my supervisor know and he will adjust my punches to make sure I am credited for all time worked. I review my time card each pay period to make sure the punches are correct. On those occasions where something is wrong with my time, I notify my supervisor and he has always corrected the problem.

4.

As a Field Technician, my job duties primarily consist of traveling to Time Warner Cable customer residences and installing, removing and repairing services. Throughout my employment, the Company has provided me with a van that is stocked with all necessary equipment, such as wiring, connectors, cable boxes, and modems.

5.

I voluntarily participate in a program where I am allowed to take a Company van to my home at the end of each day instead of parking it at a Company facility. My assigned work area is near my house and the facility is about 30 minutes away from my house, so taking the van home with me saves me a lot of time, as well as mileage and gas on my personal car.

6.

Wednesdays are my team's assigned meeting day. On those days, I will drive from my home directly to the facility and clock in at the start of my shift at 8 am. On those days, we spend some time in a meeting with the team. We then will restock the van and clean up the vehicle.

7.

I have used a Company-supplied iPad for almost 6 months. Before the iPad, technicians used Toughbook laptops. Those devices allow me to access various programs used for my job, including WorkAssure, which will allow me to see my work orders for the day, as well as status what I am doing for the day. I normally use my cell phone to call into "Teletime" to clock in and out. I could, however, also punch in and out through my iPad on a program called Kronos.

8.

On days when I come into the office for a meeting, I typically do not open WorkAssure prior to coming into the office. Instead, I normally wait until after the meeting ends to open the program and check my jobs.

9.

On non-meeting days, I typically look at WorkAssure around 7:30 a.m. after I have gotten ready for the day and am sitting in my van in my driveway. I need to do this simply to find out the first job of the day. When I was using the laptop, it typically took less than 10 minutes to start the computer, load up WorkAssure and find out my first job. On the iPad, the process is almost instant – it never takes more than 2 minutes except on very rare cases when there are technical issues.

10.

If my first job is 30 minutes or more away, I will leave my house no earlier than 7:30 a.m. When my first job is closer, I will try to leave my house so that I am at the customer location at 8:00 a.m., or I may leave earlier to pick up coffee. If I am still driving to the customer location at the start of my shift, I will pull over and clock in and then finish my drive.

11.

Other than determining my first job in WorkAssure, I normally don't spend any additional time looking at my assigned jobs. Since I am working in my van throughout the day, I generally know what equipment I have stocked in the vehicle. I work with my supervisor to make sure I have the equipment I need to do my jobs throughout the day. I don't spend any time conducting an inventory of my van outside of my shift.

12.

Each day before I leave my house, I will check the tires and make sure my ladders are secured to make sure the van is safe to drive. That takes me only a minute or so. Depending on weather conditions, I may also have to scrape and defrost the windshield, but these are things I would have to do anyway if I was driving my personal vehicle.

13.

I have never had any issues using the Company van for minor personal errands on my way in to work and back to home. I generally just let my supervisor know what I am doing.

14.

For the last 2 months or so, Time Warner Cable has a system that will pre-call the customers when I status myself in transit to their jobs. There is generally no need to pre-call customers anymore. Even before the automatic system, I typically did not pre-call the first customer of the day.

15.

When I park my van at the end of the day, I take my iPad, Toughbook, meter, cell-phones and, if it is very cold, the small test tv, in with me to my house. I am able to take all of these items in with me in a single trip.

16.

I understand that I am not required to provide the testimony in this declaration. I further understand that it would be a violation of the Company's policy for anyone to retaliate against me for providing or refusing to provide the testimony in this declaration. I have agreed to notify the Company immediately if I ever believe I am being subjected to any retaliation in violation of the Company's policies.

I have provided this declaration voluntarily without any promise of benefit or threat of any kind. Prior to signing this declaration, I was advised of my right to seek independent legal advice, and was provided with a full opportunity to carefully review this declaration and freely make any corrections and additions of any kind. I verify that the information I have provided in this declaration is true and correct.

PURSUANT TO 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 27 day of January, 2016 at Middletown, New York.


TREVOR LEMPICKI

DECLARATION OF ANDREW LYMAN

I, Andrew Lyman, do hereby declare as follows, based upon my personal knowledge of the matters contained herein:

1.

I am over 18 years of age and competent to testify to the matters stated in this declaration. I make this declaration based upon my personal knowledge. This declaration is given voluntarily. I have not been promised any benefit, coerced or threatened in any manner in exchange for the testimony in this declaration.

2.

I have worked for Time Warner Cable as a Field Technician for approximately 1 year out of the Albany office.

3.

All of my supervisors during my employment have stressed to me and my fellow Field Technicians that we need to be on the clock any time we are performing work for the Company. Neither they nor anyone else at the Company has ever pressured me or asked me to do any sort of work off the clock, including checking emails. I have also never received a call outside of my shift from a supervisor, lead or other technician asking me to perform any work. The only time I can remember receiving a call from a Company employee outside of work hours was when my supervisor called me to offer me overtime, which I requested that he do.

4.

As a Field Technician, my job duties primarily consist of traveling to Time Warner Cable customer residences and installing, removing and repairing services. Throughout my employment, the Company has provided me with a van that is stocked with all necessary equipment, such as wiring, connectors, cable boxes, and modems.

5.

I voluntarily participate in a program where I am allowed to take a Company van to my home at the end of each day instead of parking it at a Company facility. I choose to take the van because it is more convenient for me to go directly from my house to the first customer location rather than have to drive into the office each day.

6.

On Wednesday, we have a meeting day at the facility. On meeting days, in addition to participating in a meeting, I will also restock and clean out my van.

7.

Until approximately 6-8 months ago, I used a Company-supplied laptop. Presently, I use a Company-supplied iPad. I use those devices to access various programs for my job, including WorkAssure, a program that provides me with the work orders I am assigned throughout the workday.

8.

On workdays, I open up the Company's technical applications at my house before work for the purpose of obtaining information about where I need to be and what I need to do on my first job. Once I find out where my first job is, I will finish my preparations to leave for the day. When I was using the laptop, it only took a few of minutes, no more than five, to load up the Company's technical applications and obtain information on my first job. Now that I am using the iPad, it takes even less time to find out information on my first job.

9.

My shifts begin at 8:00 am. If I am still driving to the customer location at the start of my shift, I will clock in and then finish my drive, but that has rarely happened, as I am almost always on time.

10.

Other than the quick overview of my first job referenced in paragraph 8, I don't spend any additional time before I leave my house analyzing my assigned jobs or taking an "inventory" of my van to make sure I have the equipment I need for the jobs. As a general matter, I make sure, during my shift, that I have all the equipment I need to perform my jobs, and because I'm working in my van throughout the day, I always have a good idea of my equipment levels. If I find that I don't have the equipment I need to finish a work order, whether it's my first job or sometime later in the day, I would simply call a lead or supervisor and ask them to make arrangements to get me the necessary equipment.

11.

I check the Company van in the morning at home before I drive it simply to make sure it is safe to drive. This involves very basic things like making sure the windows are de-iced and defrosted. I look at this as a common-sense thing to do since I obviously do not want to drive a vehicle when it is not safe to do so. Further, these are precautions I would take (and do take) any time I drive my personal vehicle.

12.

I am allowed to use the Company van for minor personal errands if those tasks are along my route. I have used the van to pick up snacks, for example, and never had any issues.

13.

I have never pre-called a customer prior to the start of my shift. Before our pre-call system was automated, I would stop somewhere close to the customer location around the start of my shift, clock in, and then call the customer to let him or her know I will be there shortly.

14.

At the end of the day after I have driven home and parked the van, I will take out my iPad, signal meter, wifi puck, and cell phone. During the winter months, I will also take out a few tools that have batteries. I can take all of these items in with me from my van in a single trip.

15.

My Company van is equipped with a power adapter that allows me to charge my equipment throughout the day.

16.

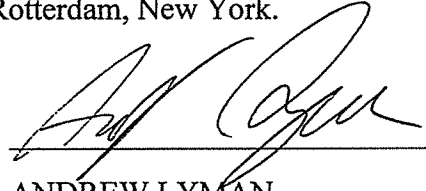
I understand that I am not required to provide the testimony in this declaration. I further understand that it would be a violation of the Company's policy for anyone to retaliate against me for providing or refusing to provide the testimony in this declaration. I have agreed to notify the Company immediately if I ever believe I am being subjected to any retaliation in violation of the Company's policies.

[SIGNATURE ON FOLLOWING PAGE]

I have provided this declaration voluntarily without any promise of benefit or threat of any kind. Prior to signing this declaration, I was advised of my right to seek independent legal advice, and was provided with a full opportunity to carefully review this declaration and freely make any corrections and additions of any kind. I verify that the information I have provided in this declaration is true and correct.

PURSUANT TO 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 26th day of January, 2016 at Rotterdam, New York.



ANDREW LYMAN

DECLARATION OF MICHAEL MERKLEY

I, Michael Merkley, do hereby declare as follows, based upon my personal knowledge of the matters contained herein:

1.

I am over 18 years of age and competent to testify to the matters stated in this declaration. I make this declaration based upon my personal knowledge. This declaration is given voluntarily. I have not been promised any benefit, coerced or threatened in any manner in exchange for the testimony in this declaration.

2.

In June 2007, I began my employment with Time Warner Cable as a Field Technician at the Company's Fair Lakes, NY office. After about 8 months working in the Syracuse area before moving to the Auburn, NY area where I currently work. I am currently a Lead Technician and have served in that capacity for approximately 4 years. I have had three supervisors since I joined the Company (one in Syracuse and two in Auburn). I currently report to Elizabeth Wills and have reported to her for approximately six months. Before that, I reported to Mark Jackson.

3.

When I was hired by the Company, I received training concerning the Company's timekeeping procedures, including instructions on the procedures for accurately recording all of my hours of work. I always have recorded all the time that I have worked and been paid for it. I was informed during training and all of my supervisors have emphasized that I am required to record all the time I work. At the beginning of my employment, I used a phone to clock in and out at the beginning and end of my shift. About three years after I began my employment, the Company provided me with a laptop with a program called WorkAssure that I used to punch in and out. In mid-2015, the Company provided us with iPads with the same WorkAssure application.

4.

If there is ever time that I believe I have worked but that is not captured in the Company's timekeeping system, I just tell my supervisor (via email or phone) and he adjusts my timecard. I review my timecard every pay period to make sure that it is correct. I have never had my supervisor deny my request for an adjustment to my timecard. If I forget to punch or have trouble accessing the system, my supervisor will always adjust my timecard to make sure I am paid for the time. The Company has never failed to pay me for all the time that I work.

5.

As a Lead Technician, my job duties primarily consist of traveling to Time Warner Cable customer residences and installing, removing and repairing services, and assisting and supervising other Field Technicians. To perform those duties, the Company provides me with a

van that is stocked with all necessary equipment, such as wiring, connectors, cable boxes, and modems.

6.

Shortly after my training period with the Company, I was offered the option to participate in a program where I was allowed to take a Company van to my home at the end of each day instead of parking it at a Company facility. I still participate in this program. Prior to being a Lead Technician, each morning, on days when I did not first go to the office (typically each day except Tuesdays for meetings), I would drive directly from my home to the customer location where my first job was assigned. As a Lead Technician, I generally report to the office in my Company vehicle from my home, clock in when I arrive at the start of my shift at 8 am, log in to WorkAssure to check my team's jobs for the day.

7.

Initially, I chose to take my vehicle home each night so that I could commute from my home to my first job of the morning without having to stop at the Company's facilities. Now, I live very close to the Company's facility and I commute directly from my home to the Auburn, NY facility to begin my work day. There are still occasions where I drive to my first job location of the day instead of the office. If I am on the road to a job, I punch in at 8 am, regardless of whether I am at the first job of the day or still driving there. I like to take the vehicle home with me each day because it saves me time at the beginning of each day and the end of the day (on days when I am in the field), it saves me money on gas, insurance, and wear and tear on my personal vehicle.

8.

Currently, to determine where my first job of the day is each day, I generally look at WorkAssure at the Company's facility after I have punched in. I do, however, start my laptop up at home so that the program is loaded once I am ready to start work. On days when I go directly to a customer location, I typically turn on my computer (or currently, my iPad) about half an hour before 8 am and, while the computer is booting up, get my kids ready for school, eat breakfast, drink coffee. After doing this, I open WorkAssure to look at the address of the first job location, close my laptop, and get ready to leave the house. Loading WorkAssure and looking at my first job location takes less than 2 minutes (this was the same with the laptop and my iPad). The only reason I look at WorkAssure on these days is to find out where to commute to the first job of the day.

9.

After leaving the house to get in my vehicle, I do not perform any inventory of my equipment, plan my route for the day, or look at the specific details of any particular job I have that day. I am not aware of any policy requiring me to perform inventory, plan my route (which is done automatically through WorkAssure), or look at job details in WorkAssure before clocking in for the day. If I am in the field for the day, I just follow the schedule of jobs set in

WorkAssure and I do not plan my own routes. When I start at the office location, I make the decision regarding which Field Technician to help or which job to go to first.

10.

The only inventory I perform of my equipment is during our Tuesday meetings, where I stock up with equipment for the next week and return any equipment that needs to be returned to the Company. The same is true for the Field Technicians I work with and supervise. They are allotted two hours on Tuesday meeting days to restock their equipment and return equipment. All inventory that I perform and that the Field Technicians I work with perform is done on the clock. Field Technicians almost always have all the equipment they need for the week on the truck. If a Field Technician is at a job and needs a piece of equipment for a job that is not on his or her truck, they can call another tech, me, or a supervisor to bring them the equipment. All of this occurs while they are clocked in. For our Tuesday meetings, we arrive at the facility and clock in at 8 am, hold our weekly meetings, stock our trucks and, when necessary, perform our weekly truck safety checks. All of this occurs while I am on the clock.

11.

Before leaving my house in my Company vehicle, I perform a basic safety check of my vehicle by walking around the outside of the vehicle and making sure I don't have a flat tire and that the vehicle is safe to drive. There is no paperwork required for this safety check and the entire check takes less than a minute. If I leave the house and see that my vehicle needs gas, I fuel up after I am clocked in.

12.

After I leave my home to drive to the first job location of the day, I occasionally stop for coffee or a soda and on the way in to work or for a gallon of milk or small grocery items on the way home. I have never been disciplined for making minor personal stops during my commute.

13.

I rarely, if ever, make or receive any work-related phone calls while I'm not clocked in and I try to leave my phone in the Company vehicle overnight and on weekends so that I do not answer it while I am not clocked in. Similarly, I am not required to and I do not read or send emails when I am not clocked in. I understand that reviewing and responding to emails should only occur on the clock.

14.

I have always taken at least a 30-minute lunch break each day (until two years' ago we had an hour for lunch) and currently I clock in and out for lunch. I do not perform any work activities during my lunch break. We are instructed by our supervisors to take our lunches every day and not to do any work during lunch. If we feel that we do not have time for lunch, we are supposed to notify our supervisors so we can get help and take our lunches.

15.

At the end of the day, when I finish my last job, I check to make sure that there are no other jobs that I need to attend to before finishing my day. If there are none, I clock out and drive home (with an occasional minor personal stop). At night, when I arrive home, I bring in my iPad, my laptop (I have both a laptop and an iPad) and, when it is cold, my signal meter (DSAM). I am not required to bring in any equipment to my home other than my laptop and iPad. When I bring in the laptop and iPad and I choose to bring in the DSAM, I can do this in one trip while I am walking to the house. This process does not add any time to my day. I generally don't plug in my laptop or iPad at night unless the battery is about to die. I have never been instructed to charge my laptop or any other equipment at night. It only takes seconds to plug in my iPad or laptop. Generally, I charge all of my equipment in my truck each day. After I come home and put my laptop and iPad down, I do not perform any other work duties until I clock in the following morning.

16.

I believe I have been paid for all the time I have worked while employed with the Company, including overtime pay. I don't believe that the Company has failed to pay any of the Field Technicians with whom I work for all the time that they worked.

17.

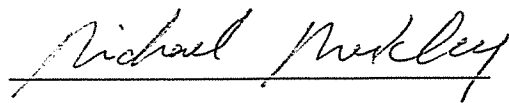
I understand that I am not required to provide the testimony in this declaration. I further understand that it would be a violation of the Company's policy for anyone to retaliate against me for providing or refusing to provide the testimony in this declaration. I have agreed to notify the Company immediately if I ever believe I am being subjected to any retaliation in violation of the Company's policies.

18.

I have provided this declaration voluntarily without any promise of benefit or threat of any kind. Prior to signing this declaration, I was advised of my right to seek independent legal advice, and was provided with a full opportunity to carefully review this declaration and freely make any corrections and additions of any kind. I verify that the information I have provided in this declaration is true and correct.

PURSUANT TO 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 19th day of January, 2016 at East Syracuse, New York.



MICHAEL MERKLEY

DECLARATION OF THOMAS QUINN

I, Thomas Quinn, do hereby declare as follows, based upon my personal knowledge of the matters contained herein:

1.

I am over 18 years of age and competent to testify to the matters stated in this declaration. I make this declaration based upon my personal knowledge. This declaration is given voluntarily. I have not been promised any benefit, coerced or threatened in any manner in exchange for the testimony in this declaration.

2.

I work as a Field Technician for Time Warner Cable out of the Middletown, NY office. I have worked with the Company for over 2.5 years. I work the 10:00 a.m. to 6:30 p.m. shift.

3.

Company policy requires that I am punched in when I am performing work for the Company. My supervisors have never pressured me to do any work off the clock. If I have any trouble clocking in, I can simply let my supervisor know and he will correct the punch to make sure I am paid for all the time I worked. I review my time punches each week. On those occasions that something is wrong with one of my punches, I let my supervisor know and he fixes the problem. My supervisors have never told me or pressured me to look at emails outside my shift. Once I am clocked out, I stop looking at emails entirely until I am clocked back in. I also shut my Company phone off when my shift ends.

4.

As a Field Technician, my job duties primarily consist of traveling to Time Warner Cable customer residences and installing, removing and repairing services. Throughout my employment, the Company has provided me with a van that is stocked with all necessary equipment, such as wiring, connectors, cable boxes, and modems.

5.

I voluntarily participate in a program where I am allowed to take a Company van to my home at the end of each day instead of parking it at a Company facility. Taking the van home saves wear and tear and lot of gas on my personal vehicle. It is a huge benefit to me to be able to take the van home.

6.

Each week, my team has a meeting on Wednesday. After our meeting on those days, I will restock and clean out my van. If I have time on Wednesday, I will also do my weekly vehicle inspection. Otherwise, I will do it some other time during the week, while on the clock, when I have time.

7.

I have used a Company-supplied iPad since last summer. Prior to that, I used a Company-supplied Toughbook. Those devices allow me to access a program called WorkAssure, which tells me what work orders I am assigned to throughout the day. I call a number on my cell phone to clock in and clock out.

8.

On meeting days, I don't access WorkAssure until I arrive at the facility at the start of my shift and have clocked in.

9.

On days when I am driving directly to a customer location, I will access WorkAssure around 9:15 a.m. at my house. The only reason I look at WorkAssure at home is to see where my first job is. When I was using the Toughbook, it took no more than 10 minutes to get the computer booted, access WorkAssure and figure out where I needed to go. On the iPad, that whole process takes no more than 1 minute.

10.

I try to time when I actually leave the house so that I am at the first job location by the start of my shift. If I am still driving to the customer location at the start of my shift, I would pull over and clock in and then finish my drive.

11.

I look at WorkAssure in the morning prior to my shift simply to find out where I need to go. I have no need to analyze my assigned jobs or determine what equipment I will need to finish the jobs prior to my shift. After I start my shift and have clocked in, I will start considering those things, but not before.

12.

Each morning before I get in the van, I will walk around it to make sure there is nothing in the way for safety reasons. That takes just a few seconds. Depending on weather, I may have to defrost the vehicle and scrape ice from the windshield, but that's something everyone has to do, regardless of whether they are driving a company vehicle or their own.

13.

I am allowed to use the Company van for minor personal errands while on my way into work or back home from work. Generally, I'll just let my supervisor know if I am stopping so that he knows.

14.

At the end of the day, I just take in my iPad into the house with me. I don't even take in my cell phone, as I am not expected to field any calls outside my shift.

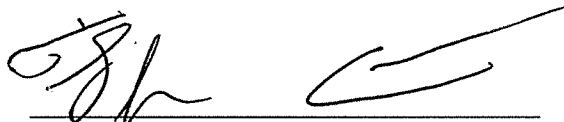
15.

I understand that I am not required to provide the testimony in this declaration. I further understand that it would be a violation of the Company's policy for anyone to retaliate against me for providing or refusing to provide the testimony in this declaration. I have agreed to notify the Company immediately if I ever believe I am being subjected to any retaliation in violation of the Company's policies.

I have provided this declaration voluntarily without any promise of benefit or threat of any kind. Prior to signing this declaration, I was advised of my right to seek independent legal advice, and was provided with a full opportunity to carefully review this declaration and freely make any corrections and additions of any kind. I verify that the information I have provided in this declaration is true and correct.

PURSUANT TO 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 27 day of January, 2016 at Middletown, New York.

A handwritten signature in black ink, appearing to read 'T. Quinn', is written over a horizontal line.

THOMAS QUINN

DECLARATION OF LEO ROMAN

I, Leo Roman, do hereby declare as follows, based upon my personal knowledge of the matters contained herein:

1.

I make this declaration based upon my personal knowledge. This declaration is given voluntarily. I have not been promised any benefit, coerced or threatened in any manner in exchange for the testimony in this declaration.

2.

I began working for Time Warner Cable as a Field Technician for almost 20 years. I work out of the Buffalo, New York, location for the Company, and primarily work in the north end of the city.

3.

As a Field Technician, my job duties primarily consist of traveling to Time Warner Cable customer residences and installing, removing and repairing services. To perform those duties, the Company provides me with a van that is stocked with all necessary equipment, such as wiring, connectors, cable boxes, and modems.

4.

I have participated in the work from home program since it became available at my location. I am not required to participate in the program if I do not want to, and can instead commute to the Company facility in my personal vehicle and pick up my Company van there if I choose to do so. As part of the work from home program, I am allowed to take a Company van to my home at the end of each day instead of parking it at a Company facility. Then, each morning, on days when I did not first go to the office, I would drive directly from my home to the customer location where my first job was assigned. I participate in the program because I see it as a benefit that I get to commute using the Company's gas and not putting wear and tear on my own vehicle.

5.

I work the 0800-1630 shift. I typically log into WorkAssure around 7:30 in the morning. While I take notice of all of my jobs, I focus primarily on the first job of the day, as my other jobs can change. Logging into WorkAssure and looking at my jobs takes only a few minutes. Other than loading WorkAssure and viewing my jobs for the day, I do not typically perform other work activities before leaving my house.

6.

I clock in at 0800. Presently, the Company uses an auto-dialer to pre-call customers. Before the Company began using an auto-dialer, I would pre-call the first customer of the day after I arrived at the customer's location and after I was clocked in for the day.

7.

I do not inventory my equipment before I leave for work in the morning because I already know what equipment is on the truck. It is rare that I do not have the equipment that I need for my first job. On those rare occasions where I do need equipment, I can have my supervisor or lead bring equipment to me, or coordinate with another Tech who has the equipment. These activities to obtain missing equipment would be done on the clock, after I have punched in for the day.

8.

I typically do not review my emails or texts before I clock in. On the rare occasion where I would look at an email or text before clocking in, this would take me only a minute or so. I also do not get Company phone calls before 0800. Additionally, when I fuel the Company van, I so on the clock (for example, at the end of the day when I have extra time, or between jobs).

9.

I understand that I am not required to provide the testimony in this declaration. I further understand that it would be a violation of the Company's policy for anyone to retaliate against me for providing or refusing to provide the testimony in this declaration. I have agreed to notify the Company immediately if I ever believe I am being subjected to any retaliation in violation of the Company's policies.

10.

I have provided this declaration voluntarily without any promise of benefit or threat of any kind. Prior to signing this declaration, I was provided with a full opportunity to carefully review this declaration and freely make any corrections and additions of any kind. I verify that the information I have provided in this declaration is true and correct.

PURSUANT TO 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 21st day of January, 2016 at Buffalo, New York.

A handwritten signature in black ink, appearing to read "Leo Roman", is written over a horizontal line.

Leo Roman

DECLARATION OF ARIC RYAN

I, Aric Ryan, do hereby declare as follows, based upon my personal knowledge of the matters contained herein:

1.

I am over 18 years of age and competent to testify to the matters stated in this declaration. I make this declaration based upon my personal knowledge. This declaration is given voluntarily. I have not been promised any benefit, coerced or threatened in any manner in exchange for the testimony in this declaration.

2.

In October 1995, I began my employment with a company that was acquired by Time Warner Cable (the "Company") as a Field Technician. Time Warner Cable acquired this company in approximately 1998. About three years ago, I was promoted to a Senior Lead Field Technician with the Company. As a Senior Lead Field Technician, I am responsible for six Field Technicians. I have worked for the Company for approximately 20 years.

3.

When I was hired by the Company, I received training concerning the Company's timekeeping procedures, including instructions on the procedures for accurately recording all of my hours of work. I was informed during training and by each of my supervisors thereafter that I was required to record all time worked.

4.

As a Senior Lead Field Technician, and as a former Field Technician, my job duties primarily consist of traveling to Time Warner Cable customer residences and installing, removing and repairing services. To perform those duties, the Company provides me with a van that is stocked with all necessary equipment, such as wiring, connectors, cable boxes, and modems.

5.

During the majority of my employment with the Company, I voluntarily participated in a program where I was allowed to take a Company van to my home at the end of each day instead of parking it at a Company facility. Then, each morning, on days when I did not first go to the office, I would drive directly from my home to the customer location where my first job was assigned.

6.

On all days except Tuesdays, I go to my office at the beginning of my shifts. However, on Tuesdays, I begin my day in the field. Before my shift, which begins at 8:00 a.m., I log in to the Company's WorkAssure system to determine my first job of the day. The only reason I log into WorkAssure before my shift begins is to look at the location of my first job. On average,

this process takes me approximately five minutes and is fairly simple. The amount of time I typically spend logging into and looking at WorkAssure before heading into the field and beginning my shift is not significant.

7.

It is my belief that the six Field Techs on my team spend roughly the same amount of time (five minutes) logging into WorkAssure prior to the beginning of their own shifts.

8.

Neither I nor the six Field Techs on my team are required to inventory our equipment before beginning our shifts and rolling out into the field. The inventory of equipment is something all Field Techs should be aware of and have in the back of their mind. In fact, all Field Techs are issued a pre-set number of each type of equipment weekly. If I or any other Field Tech on my team is running low on a particular type of equipment, I (or that Field Tech) would come into the office while on the clock to retrieve what I need, or I would coordinate with another Technician and meet him/her in the field to retrieve what I need.

9.

The Company does not require me to bring in any equipment from my Company van at the end of the day. On a typical day, I will bring in my Company-issued iPad (which I carry in one hand), my signal meter (which I carry over my shoulder), and any personal belongings. I do not have to make any additional trips to my van to retrieve any equipment.

10.

As a general rule, I do not read or respond to emails off the clock unless there's something pressing. I review my emails when I get to the office after my shift begins. The Field Techs on my team do not respond to any emails I send them when they are not off their shift. I do not expect them to respond to any emails that I may send them until they are working on the clock.

11.

I do not feel that I have not been paid for any work I have performed for the Company off the clock. Moreover, I have not heard any complaints from other Field Techs regarding off the clock work.

12.

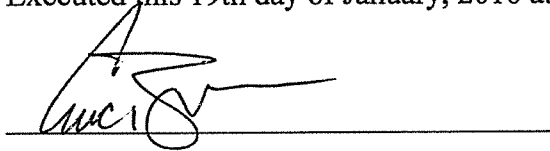
I understand that I am not required to provide the testimony in this declaration. I further understand that it would be a violation of the Company's policy for anyone to retaliate against me for providing or refusing to provide the testimony in this declaration. I have agreed to notify the Company immediately if I ever believe I am being subjected to any retaliation in violation of the Company's policies.

13.

I have provided this declaration voluntarily without any promise of benefit or threat of any kind. Prior to signing this declaration, I was advised of my right to seek independent legal advice, and was provided with a full opportunity to carefully review this declaration and freely make any corrections and additions of any kind. I verify that the information I have provided in this declaration is true and correct.

PURSUANT TO 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 19th day of January, 2016 at Syracuse, New York.

A handwritten signature in black ink, appearing to read 'Aric Ryan', is written over a horizontal line.

ARIC RYAN

DECLARATION OF RAMON SANDERS

I, Ramon Sanders, do hereby declare as follows, based upon my personal knowledge of the matters contained herein:

1.

I make this declaration based upon my personal knowledge. This declaration is given voluntarily. I have not been promised any benefit, coerced or threatened in any manner in exchange for the testimony in this declaration.

2.

I began working for Time Warner Cable as a Field Technician since December 2009. I work out of the Niagara Falls, New York, location for the Company.

3.

As a Field Technician, my job duties primarily consist of traveling to Time Warner Cable customer residences and installing, removing and repairing services. To perform those duties, the Company provides me with a van that is stocked with all necessary equipment, such as wiring, connectors, cable boxes, and modems.

4.

I elect to participate in the work from home program. I am not required to participate in the program if I do not want to. Instead, I have the option to commute to the Company facility in my personal vehicle and pick up my Company van there. As part of the work from home program, I am allowed to take a Company van to my home at the end of each day instead of parking it at a Company facility. Then, each morning, on days when I did not first go to the office, I would drive directly from my home to the customer location where my first job was assigned.

5.

I work the 0800-1700 shift. I typically log into WorkAssure shortly after I wake up to check my jobs for the day. I look at all my jobs, but pay the most attention to my first job of the day because I know that this is where I will be going first. It is common that the jobs that I actually perform during the day are not all of the same jobs that are assigned to me at the start of the day. Other than loading WorkAssure and viewing my jobs for the day, I do not perform other work activities before leaving my house.

6.

I clock in at 0800. Once I arrive at my first job location and have clocked in, I often take a harder look at my jobs for the day. Presently, the Company uses an auto-dialer to pre-call customers. Before the Company began using an auto-dialer, I would pre-call the first customer of the day after I arrived at the customer's location and after I was clocked in for the day.

7.

I do not inventory my equipment before I leave for work in the morning. There is no need for me to do so because I am the only one who uses my truck and the equipment on the truck, so I know what equipment I have on the truck. When I do need a piece of equipment for my first job, there are several options available to get that equipment. If my lead technician is working, I can ask him to deliver the equipment to me. If not, I can stop by the warehouse on my way to the first job, or coordinate with another Tech to obtain the equipment I need. This would all be done after I have clocked in for the day.

8.

I typically do not review my emails or texts before I clock in, unless WorkAssure does not show me as having a job at 0800. In that case, I would then check my email to determine where I was supposed to be (for example, there might be a meeting). The purpose of checking the email would be so that I knew where to go to start my workday.

9.

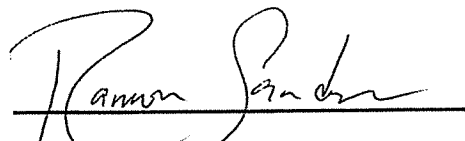
I understand that I am not required to provide the testimony in this declaration. I further understand that it would be a violation of the Company's policy for anyone to retaliate against me for providing or refusing to provide the testimony in this declaration. I have agreed to notify the Company immediately if I ever believe I am being subjected to any retaliation in violation of the Company's policies.

10.

I have provided this declaration voluntarily without any promise of benefit or threat of any kind. Prior to signing this declaration, I was provided with a full opportunity to carefully review this declaration and freely make any corrections and additions of any kind. I verify that the information I have provided in this declaration is true and correct.

PURSUANT TO 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 21st day of January, 2016 at Buffalo, New York.



Ramon Sanders

DECLARATION OF CHRIS SCOTT

I, Chris Scott, do hereby declare as follows, based upon my personal knowledge of the matters contained herein:

1.

I am over 18 years of age and competent to testify to the matters stated in this declaration. I make this declaration based upon my personal knowledge. This declaration is given voluntarily. I have not been promised any benefit, coerced or threatened in any manner in exchange for the testimony in this declaration.

2.

I have worked for Time Warner Cable as a Field Technician for approximately 10 years. I work out of the Glens Falls office.

3.

All of my supervisors during my employment have stressed to me and my fellow Field Technicians that we need to be on the clock any time we are performing work for the Company. Neither they nor anyone else at the Company has ever pressured me or asked me to do any sort of work off the clock, including checking Company emails. I have also never received a call outside of my shift from a supervisor, lead or other technician regarding my work duties.

4.

As a Field Technician, my job duties primarily consist of traveling to Time Warner Cable customer residences and installing, removing and repairing services. Throughout my employment, the Company has provided me with a van that is stocked with all necessary equipment, such as wiring, connectors, cable boxes, and modems.

5.

I voluntarily participate in a program where I am allowed to take a Company van to my home at the end of each day instead of parking it at a Company facility. I choose to take the van because it is more convenient for me to go directly from my house to the first customer location rather than have to drive into the office each day.

6.

On Wednesday, we have a meeting day at the facility. On meeting days, in addition to participating in a meeting, I will also restock and clean my van.

7.

Until approximately 6-8 months ago, I used a Company-supplied laptop. Presently, I use a Company-supplied iPad. I use those devices to access various programs for my job, including WorkAssure, a program that provides me with the work orders I am assigned throughout the workday.

8.

On workdays, I open up WorkAssure at my house before work, generally around 7:15 am, to check where I need to be that morning. Once I find out where my first job is, I will finish my preparations to leave for the day. When I was using the laptop, it only took a few minutes, five at the very most, to load up WorkAssure and find out the location of my first job. Now that I am using the iPad, it takes even less time – a minute or less – to find out where I need to be for my first job.

9.

I generally leave my house around 7:30 a.m. If the job is closer, I will leave a little later and time it so I leave my house with enough time to get to the customer location shortly before the start of my shift at 8:00 a.m. If I am still driving to the customer location at the start of my shift, I will pull over and clock in and then finish my drive, although this is very rare because I am almost always on time.

10.

Other than determining my first job in WorkAssure, I don't spend any additional time analyzing my assigned jobs or taking an "inventory" of my van to make sure I have the equipment I need for the jobs. As a general matter, I make sure, during my shift, that I have all the equipment I need to perform my jobs, and because I'm working in my van throughout the day, I always have a good idea of my equipment levels. If I find that I don't have the equipment I need to finish a work order, whether it's my first job or sometime later in the day, I would simply call a lead or supervisor and ask them to make arrangements to get me the necessary equipment.

11.

I check the Company van each morning at home before I drive it simply to make sure it is safe to drive. This involves very basic things like making sure the windows are de-iced and defrosted. I look at this as a common-sense thing to do since I obviously do not want to drive a vehicle when it is not safe to do so. Further, these are precautions I would take (and do take) any time I drive my personal vehicle.

12.

I am allowed to use the Company van for minor personal errands if those tasks are along my route. I have used the van to pick up snacks, for example, and never had any issues.

13.

I have never pre-called a customer prior to the start of my shift. Generally, I will stop somewhere close to the customer location around the start of my shift, clock in, and then call the customer to let him or her know I will be there shortly.

14.

At the end of the day after I have driven home and parked the van, I will take out my iPad, signal meter and cell phone. During the winter months, I will also take out a few tools that have batteries. I can take all of these items in with me from my van in a single trip.

15.

My Company van is equipped with a power adapter that allows me to charge my equipment throughout the day.

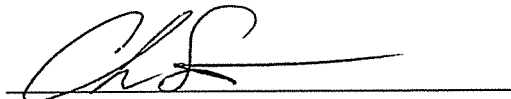
16.

I understand that I am not required to provide the testimony in this declaration. I further understand that it would be a violation of the Company's policy for anyone to retaliate against me for providing or refusing to provide the testimony in this declaration. I have agreed to notify the Company immediately if I ever believe I am being subjected to any retaliation in violation of the Company's policies.

I have provided this declaration voluntarily without any promise of benefit or threat of any kind. Prior to signing this declaration, I was advised of my right to seek independent legal advice, and was provided with a full opportunity to carefully review this declaration and freely make any corrections and additions of any kind. I verify that the information I have provided in this declaration is true and correct.

PURSUANT TO 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 28th day of January, 2016 at Rotterdam, New York.

A handwritten signature in black ink, appearing to read "Chris Scott", is written over a horizontal line.

CHRIS SCOTT

DECLARATION OF GREGORY THOMAS

I, Gregory Thomas, do hereby declare as follows, based upon my personal knowledge of the matters contained herein:

1.

I make this declaration based upon my personal knowledge. This declaration is given voluntarily. I have not been promised any benefit, coerced or threatened in any manner in exchange for the testimony in this declaration.

2.

I have worked for Time Warner Cable as a Field Technician for approximately 21 years. I work out of the Niagara, New York, location for the Company.

3.

As a Field Technician, my job duties primarily consist of traveling to Time Warner Cable customer residences and installing, removing and repairing services. To perform those duties, the Company provides me with a van that is stocked with all necessary equipment, such as wiring, connectors, cable boxes, and modems.

4.

I understand that the Company's policy is that employees should never work off the clock. The Company's managers and supervisors make emphasize this policy and make clear that Techs should not be working off the clock.

5.

I participate in the work from home program. I am not required to participate in the program if I do not want to, and can instead commute to the Company facility in my personal vehicle and pick up my Company van there if I choose to do so. I choose to participate in the program because it is convenient, and allows me to save money on gas and wear and tear on my personal vehicle. As part of the work from home program, I am allowed to take a Company van to my home at the end of each day instead of parking it at a Company facility. Then, each morning, on days when I did not first go to the office, I drive directly from my home to the customer location where my first job was assigned.

6.

I work the 1030-1900 shift. I typically log into WorkAssure about 30 minutes before I leave home to look up my first job so that I know where to drive to. This process is very quick, taking only a minute or two. I do not look at my other jobs until I have completed my first job of the day. I do not perform other work activities before leaving my house. For example, I do not review emails and text messages at home.

7.

I do not inventory my equipment before I leave for work in the morning because I already know what equipment is on the truck. It is very rare that I do not have the equipment that I need for my first job. In fact, I cannot remember the last time this happened to me. On those rare occasions where I do need equipment, I can call someone to bring it to me. However, I do not make that call until I am already at my first location and on the clock.

8.

The Company now uses an auto-dialer to pre-call customers. Before the Company began using an auto-dialer, I would report to my first location and then call the customer after arriving, and after I had punched in for the day.

9.

Techs are not expected to take phone calls when they are not clocked in. In fact, Techs are told not to answer their phones when they are off the clock. For example, I do not answer my phone when I am on my lunch break.

10.

I fuel the Company van only when I am on the clock. I usually do this between jobs.

11.

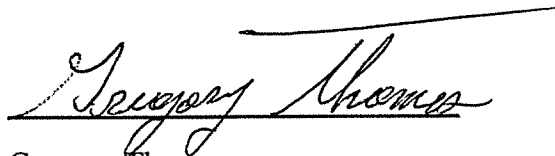
I understand that I am not required to provide the testimony in this declaration. I further understand that it would be a violation of the Company's policy for anyone to retaliate against me for providing or refusing to provide the testimony in this declaration. I have agreed to notify the Company immediately if I ever believe I am being subjected to any retaliation in violation of the Company's policies.

12.

I have provided this declaration voluntarily without any promise of benefit or threat of any kind. Prior to signing this declaration, I was provided with a full opportunity to carefully review this declaration and freely make any corrections and additions of any kind. I verify that the information I have provided in this declaration is true and correct.

PURSUANT TO 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 21st day of January, 2016 at Buffalo, New York.



Gregory Thomas

DECLARATION OF MATEO VAZQUEZ

I, Mateo Vazquez, do hereby declare as follows, based upon my personal knowledge of the matters contained herein:

1.

I am over 18 years of age and competent to testify to the matters stated in this declaration. I make this declaration based upon my personal knowledge. This declaration is given voluntarily. I have not been promised any benefit, coerced or threatened in any manner in exchange for the testimony in this declaration.

2.

In approximately 2003, I began my employment with Time Warner Cable as a Field Technician at the Company's Rochester, NY office. I have had five supervisors since I joined the Company. I have always worked primarily in the Rochester, NY area and hold the position of a Lead Technician.

3.

When I was hired by the Company, I received training concerning the Company's timekeeping procedures, including instructions on the procedures for accurately recording all of my hours of work. I always have recorded all the time that I have worked and been paid for it. I was informed during training and all of my supervisors have emphasized that I am required to record all the time I work. At the beginning of my employment, we had paper orders. About ten years ago the Company provided me with a laptop with a program called WorkAssure that I used to punch in and out. In mid-2015, the Company provided us with iPads with the same WorkAssure application. I currently use both a laptop and iPad to perform my job duties.

4.

If there is ever time that I believe I have worked but that is not captured in the Company's timekeeping system, I contact my supervisor and he adjusts my timecard. If I ever have to deal with work-related calls or emails outside of the time I am clocked in, I report it to my supervisor and he ensures that I am paid for the time. I have never had my supervisor deny my request for an adjustment to my timecard. The Company always makes sure I get paid for all of my time, regular and overtime. If I forget to punch, have trouble accessing the system, or work any time outside of my scheduled shift, I notify my supervisor and he will make sure I am paid for the time. I review and approve my timecard every pay period to make sure that it is correct. I believe I have been paid for all the time I have worked for the Company.

5.

As a Lead Technician, my job duties primarily consist of traveling to Time Warner Cable customer residences and installing, removing and repairing services, and assisting and supervising other Field Technicians. To perform those duties, the Company provides me with a

van that is stocked with all necessary equipment, such as wiring, connectors, cable boxes, and modems.

6.

Six months after the beginning of my employment, I was offered the option to participate in a program where I was allowed to take a Company van to my home at the end of each day instead of parking it at a Company facility. I chose to participate in this program because it saves me time at the beginning of each day and the end of the day (on days when I am in the field), it saves me money on gas, insurance, and wear and tear on my personal vehicle.

7.

As a Lead Technician, my morning routine varies widely. Once or twice a week, I go directly into the office, clock in and log in to WorkAssure to check the work for the day. Then I decide where I need to go for the day. Most of the time, I drive to a central area of the zone in which I work, clock in and log into WorkAssure and look at the work I need to perform that day depending on customer issues and what support the Field Technicians need. Occasionally, I have to work a specified route of customer jobs, which I am informed of the day before I have those duties. When this occurs, I check the location of my first job of the next day on the previous day so I know where to go when I leave my house in the morning. I do all of this while I am clocked in. On Wednesdays, we have meetings. On those days, I come to the office, clock in and log into WorkAssure when I arrive (typically 8 am, when the meetings begin), and attend the meetings.

8.

In the morning, I generally turn on my laptop and iPad as I am walking out of the house so that those devices can power up while I am commuting to work. When I arrive at the first work location of the day, I can immediately get into WorkAssure on my iPad and clock in. Getting into WorkAssure takes no more than 1 minute.

9.

After leaving the house to get in my vehicle, I do not perform any inventory of my equipment, plan my route for the day, or look at the specific details of any particular job I have that day. I am not aware of any policy requiring me to perform inventory, plan my route (which is done automatically through WorkAssure), or look at job details in WorkAssure before clocking in for the day and there would be no reason to do any of those things. If I am in the field for the day, I just follow the schedule of jobs set in WorkAssure and I do not plan my own routes.

10.

I do not ever perform an inventory of my equipment. We turn in our collected equipment on Wednesdays and get new equipment. There is no need to perform any inventory of your equipment at any time. Field Technicians should stock up with this equipment on meeting days. There is certainly no need for any Field Technician to perform an inventory of his or her

equipment each day or really at any time because of the way the Company stocks them with equipment. Field Technicians are allotted two hours on Wednesday meeting days to restock their equipment and return equipment. All of this is done on the clock. If a Field Technician is at a job and needs a piece of equipment for that job that is not on his or her truck, they can call another tech, me, or a supervisor to bring them the equipment. All of this occurs while they are clocked in. For our Wednesday meetings, we arrive at the facility and clock in at 8 am, hold our weekly meetings, and stock our trucks. All of this occurs while I am on the clock and the Field Technicians I work with are on the clock.

11.

We perform monthly vehicle safety checks on the clock with a form we fill out online to make sure our vehicles lights work, brakes work, etc. I do not perform any vehicle safety check in the morning before I leave my house and I am not aware of any safety check requirement other than our once-a-month online form that we fill out online. If I leave the house and see that my vehicle needs gas, I fuel up after I am clocked in. I do not ever fuel up off the clock.

12.

After I leave my home to drive to the first job location each day, I stop for coffee at Tim Horton's. On the way home from work, I occasionally stop for a gallon of milk or small grocery items. Sometimes I stop at Wegman's or Wal-Mart. I have never been disciplined for making minor personal stops during my commute and I am not aware of any policy prohibiting me from doing so.

13.

If I ever make or receive work-related calls while I am not on the clock, I will report it to my supervisor and he will make sure I am paid for my time. The same is true of emails. If I choose to write or respond to emails while I am not clocked in, I tell my supervisor and he always makes sure I am paid for the time. I understand that the Company's policy is to pay me for the time I spend reviewing and responding to emails or making or receiving work-related phone calls.

14.

I have always taken at least a 30-minute lunch break each day and currently I clock in and out for lunch. I do not perform any work activities during my lunch break. If I get a work-related call or email during lunch, my practice is to punch back in before responding to it. We are instructed by our supervisors to take our lunches every day and not to do any work during lunch. I enforce this policy with the Field Technicians I supervise as well. If we feel that we do not have time for lunch, the Field Technicians are supposed to notify me or our supervisors so we can get help and take our lunches.

15.

At the end of the day, when I finish my last job, I check to make sure that there are no other jobs that I need to attend to before finishing my day. If I finish before the end of my shift, I

use the opportunity to clean my van or do other minor tasks until my shift ends, at which point I clock out and drive home (with an occasional minor personal stop). When I work past the end of my scheduled shift, I clock out when I finish the job and then drive home.

16.

At night, when I arrive home, I bring in my iPad, my laptop (I have both a laptop and an iPad) and my cell phone. I can carry all of these items in one trip, which does not add any time to my day. When I get into the house, I plug in my laptop, my iPad, and my phone to charge them. I am not required to do this and am not aware of any policy requiring me to do so. Plugging in these devices takes less than 30 seconds.

17.

I believe I have been paid for all the time I have worked while employed with the Company. I don't believe that the Company has failed to pay any of the Field Technicians with whom I work for all the time that they worked.

18.

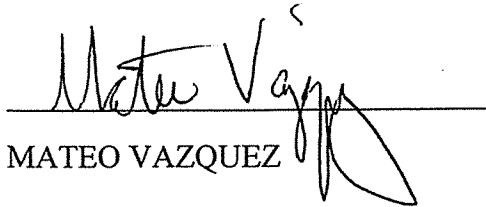
I understand that I am not required to provide the testimony in this declaration. I further understand that it would be a violation of the Company's policy for anyone to retaliate against me for providing or refusing to provide the testimony in this declaration. I have agreed to notify the Company immediately if I ever believe I am being subjected to any retaliation in violation of the Company's policies.

19.

I have provided this declaration voluntarily without any promise of benefit or threat of any kind. Prior to signing this declaration, I was advised of my right to seek independent legal advice, and was provided with a full opportunity to carefully review this declaration and freely make any corrections and additions of any kind. I verify that the information I have provided in this declaration is true and correct.

PURSUANT TO 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 20th day of January, 2016 at Rochester, New York.


MATEO VAZQUEZ

DECLARATION OF JOE VILLA

I, Joe Villa, do hereby declare as follows, based upon my personal knowledge of the matters contained herein:

1.

I am over 18 years of age and competent to testify to the matters stated in this declaration. I make this declaration based upon my personal knowledge. This declaration is given voluntarily. I have not been promised any benefit, coerced or threatened in any manner in exchange for the testimony in this declaration.

2.

In approximately, I began my employment with Time Warner Cable as a Field Technician at the Company's Rochester, NY office. I have had five supervisors since I joined the Company. I work primarily in the Rochester, NY area and hold the position of a Lead Technician.

3.

When I was hired by the Company, I received training concerning the Company's timekeeping procedures, including instructions on the procedures for accurately recording all of my hours of work. I always have recorded all the time that I have worked and been paid for it. I was informed during training and all of my supervisors have emphasized that I am required to record all the time I work. At the beginning of my employment, I used physical punch card to clock in and out at the beginning and end of my shift. Shortly after my employment began, the Company provided me with a laptop with a program called WorkAssure that I used to punch in and out. In mid-2015, the Company provided us with iPads with the same WorkAssure application. I currently use both a laptop and iPad to perform my job duties.

4.

If there is ever time that I believe I have worked but that is not captured in the Company's timekeeping system, I contact my supervisor and he adjusts my timecard. I have never had my supervisor deny my request for an adjustment to my timecard. If I forget to punch or have trouble accessing the system, my supervisor will always adjust my timecard to make sure I am paid for the time. I review and approve my timecard every pay period to make sure that it is correct. I believe I have been paid for all the time I have worked for the Company.

5.

As a Lead Technician, my job duties primarily consist of traveling to Time Warner Cable customer residences and installing, removing and repairing services, and assisting and supervising other Field Technicians. To perform those duties, the Company provides me with a van that is stocked with all necessary equipment, such as wiring, connectors, cable boxes, and modems.

6.

Shortly after my training period with the Company, I was offered the option to participate in a program where I was allowed to take a Company van to my home at the end of each day instead of parking it at a Company facility. I did not participate at first, but I have chosen to take my vehicle home for over 10 years now. I like to take the vehicle home with me each day because it saves me time at the beginning of each day and the end of the day (on days when I am in the field), it saves me money on gas, insurance, and wear and tear on my personal vehicle.

7.

As a Lead Technician, I generally drive to a central area of the zone in which I work, clock in and log into WorkAssure and determine what work I need to perform that day based on what types of work the Field Technicians I support have going on. On other days, when I have been advised that I will have a route of customer jobs for the day (which the Company advises me of the day before I have to work a route), I will open WorkAssure at home and view the address of the first job of the day. I do not shut down my laptop or iPad each night and getting into WorkAssure is instantaneous. Prior to getting my iPad, the most time it would take to open WorkAssure on my laptop was less than five minutes. On Wednesdays, we have meetings and, on those days, I come to the office, and clock in and log into WorkAssure when I arrive (typically 8 am, when the meetings begin).

8.

On most mornings, I will grab my laptop and iPad off the counter and leave the house. I plug my laptop and iPad in at night so I don't have to shut them down and can get into them easily the next day. Plugging in and unplugging my laptop and iPad takes no more than a couple of seconds. At night, I bring in my DSAM signal meter, my laptop and my iPad each night. I can bring all of this equipment in to my house in one trip.

9.

After leaving the house to get in my vehicle, I do not perform any inventory of my equipment, plan my route for the day, or look at the specific details of any particular job I have that day. I am not aware of any policy requiring me to perform inventory, plan my route (which is done automatically through WorkAssure), or look at job details in WorkAssure before clocking in for the day and there would be no reason to do any of those things. If I am in the field for the day, I just follow the schedule of jobs set in WorkAssure and I do not plan my own routes.

10.

The only inventory I perform of my equipment is during our Wednesday meetings, where I stock up with equipment for the next week and scan in the equipment that needs to be returned to the Company. The same is true for the Field Technicians I work with and supervise. They are allotted two hours on Tuesday meeting days to restock their equipment and return equipment. All inventory that I perform and that the Field Technicians I work with perform is done on the clock. Field Technicians almost always have all the equipment they need for the week on the truck. If a Field Technician is at a job and needs a piece of equipment for that job that is not on

his or her truck, they can call another tech, me, or a supervisor to bring them the equipment. All of this occurs while they are clocked in. For our Wednesday meetings, we arrive at the facility and clock in at 8 am, hold our weekly meetings, stock our trucks and, when necessary, perform our monthly truck safety checks. All of this occurs while I am on the clock and the Field Technicians I work with are on the clock.

11.

Before leaving my house in my Company vehicle, I perform a basic safety check of my vehicle by walking around the outside of the vehicle and making sure I don't have a flat tire and that the vehicle is safe to drive. There is no paperwork required for this safety check and the entire check takes less than a minute. If I leave the house and see that my vehicle needs gas, I fuel up after I am clocked in.

12.

After I leave my home to drive to the first job location each day, I stop for coffee at Time¹ Horton's. On the way home from work, I occasionally stop for a gallon of milk or small grocery items. I have never been disciplined for making minor personal stops during my commute.

13.

If I ever make or receive work-related calls while I am not on the clock, I will report it to my supervisor and he will make sure I am paid for my time. The same is true of emails. If I choose to write or respond to emails while I am not clocked in and I tell my supervisor, he always makes sure I am paid for the time. I understand that the Company's policy is to pay me for the time I spend reviewing and responding to emails or making or receiving work-related phone calls.

14.

I have always taken at least a 30-minute lunch break each day and currently I clock in and out for lunch. I do not perform any work activities during my lunch break. We are instructed by our supervisors to take our lunches every day and not to do any work during lunch. I enforce this policy with the Field Technicians I supervise as well. If we feel that we do not have time for lunch, the Field Technicians are supposed to notify me or our supervisors so we can get help and take our lunches.

15.

At the end of the day, when I finish my last job, I check to make sure that there are no other jobs that I need to attend to before finishing my day. If I finish before the end of my shift, I use the opportunity to clean my van or do other minor tasks until my shift ends, at which point I clock out and drive home (with an occasional minor personal stop). At night, when I arrive home, I bring in my iPad, my laptop (I have both a laptop and an iPad) and my DSAM. After I come home and put my laptop and iPad down, I do not perform any other work duties until I clock in the following morning.

16.

I believe I have been paid for all the time I have worked while employed with the Company. I don't believe that the Company has failed to pay any of the Field Technicians with whom I work for all the time that they worked.

17.

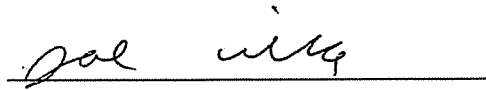
I understand that I am not required to provide the testimony in this declaration. I further understand that it would be a violation of the Company's policy for anyone to retaliate against me for providing or refusing to provide the testimony in this declaration. I have agreed to notify the Company immediately if I ever believe I am being subjected to any retaliation in violation of the Company's policies.

18.

I have provided this declaration voluntarily without any promise of benefit or threat of any kind. Prior to signing this declaration, I was advised of my right to seek independent legal advice, and was provided with a full opportunity to carefully review this declaration and freely make any corrections and additions of any kind. I verify that the information I have provided in this declaration is true and correct.

PURSUANT TO 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 20th day of January, 2016 at Rochester, New York.

A handwritten signature in dark ink, appearing to read "Joe Villa", is written over a horizontal line.

JOE VILLA

DECLARATION OF SCOTT WAMPLER

I, Scott Wampler, do hereby declare as follows, based upon my personal knowledge of the matters contained herein:

1.

I make this declaration based upon my personal knowledge. This declaration is given voluntarily. I have not been promised any benefit, coerced or threatened in any manner in exchange for the testimony in this declaration.

2.

I began working for Time Warner Cable as a Field Technician for almost 3 years. I work out of the Buffalo, New York, location for the Company.

3.

As a Field Technician, my job duties primarily consist of traveling to Time Warner Cable customer residences and installing, removing and repairing services. To perform those duties, the Company provides me with a van that is stocked with all necessary equipment, such as wiring, connectors, cable boxes, and modems.

4.

From day one of my training with Time Warner Cable, it was stressed to me that I should never work off the clock. I have always understood that the Company did not want or expect me to work off the clock and that it would be a violation of Company rules to do so.

5.

I participate in the work from home program. I am not required to participate in the program if I do not want to, and can instead commute to the Company facility in my personal vehicle and pick up my Company van there if I choose to do so. As part of the work from home program, I am allowed to take a Company van to my home at the end of each day instead of parking it at a Company facility. Then, each morning, on days when I did not first go to the office, I drive directly from my home to the customer location where my first job was assigned.

6.

I work the 1030-1900 shift. I typically log into WorkAssure about 30 minutes before I leave home to look up my first job so that I know where to drive to. This takes me only about 1 minute. Sometimes I will also look at my second and third jobs, which also takes about 1 minute each. Even if I am looking at multiple jobs, it takes me less than 5 minutes to do so. I do not typically perform other work activities before leaving my house.

7.

I do not inventory my equipment before I leave for work in the morning because I already know what equipment is on the truck. It is rare that I do not have the equipment that I need for my first

job. On those rare occasions where I do need equipment, I can call someone to bring it to me. This does not cause me to work off the clock because I know to clock in before I start doing these things.

8.

I only receive about 4 or 5 company emails per day. It is very rare that I would review emails or texts at home, before clocking in. When I do look at email at home it is usually only if I am expecting a particular email (for example, if I ordered some equipment and am expecting a response). On the rare occasions where I would look at an email before clocking in, this would take me only a minute or so.

9.

Presently, the Company uses an auto-dialer to pre-call customers. Before the Company began using an auto-dialer, I would pre-call the first customer of the day after I had clocked in. I knew that I was not supposed to be performing any work activities off the clock.

10.

Techs are not expected to take phone calls when they are not clocked in. In fact, Techs are told not to answer their phones when they are off the clock.

11.

When I fuel the Company van, I do so on the clock. Even if this causes me to work overtime at the end of the day, I would still get fuel on the clock, as I understand that this is what Company policy requires.

12.

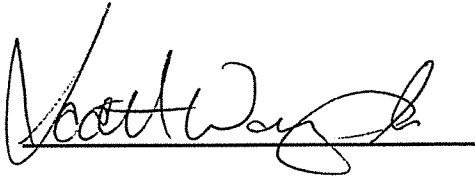
I understand that I am not required to provide the testimony in this declaration. I further understand that it would be a violation of the Company's policy for anyone to retaliate against me for providing or refusing to provide the testimony in this declaration. I have agreed to notify the Company immediately if I ever believe I am being subjected to any retaliation in violation of the Company's policies.

13.

I have provided this declaration voluntarily without any promise of benefit or threat of any kind. Prior to signing this declaration, I was provided with a full opportunity to carefully review this declaration and freely make any corrections and additions of any kind. I verify that the information I have provided in this declaration is true and correct.

PURSUANT TO 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 21st day of January, 2016 at Buffalo, New York.

A handwritten signature in black ink, appearing to read "Scott Wampler", is written over a horizontal line.

Scott Wampler

DECLARATION OF DEMETRIOUS WHITE

I, Demetrious White, do hereby declare as follows, based upon my personal knowledge of the matters contained herein:

1.

I am over 18 years of age and competent to testify to the matters stated in this declaration. I make this declaration based upon my personal knowledge. This declaration is given voluntarily. I have not been promised any benefit, coerced or threatened in any manner in exchange for the testimony in this declaration.

2.

I have worked for Time Warner Cable in Rochester, NY for approximately 10 years. For the first 7 years or so, I worked as a Field Technician. For the past 3 years, I have worked as a Lead Field Technician.

3.

My supervisors have routinely stressed to me and my team that technicians must be clocked in anytime they are performing work for the Company.

4.

When I was a Field Technician, my job duties primarily consisted of traveling to Time Warner Cable customer residences and installing, removing and repairing services. As a Lead Technician, I generally am not assigned work orders. Instead, I will assist other technicians, deliver equipment when necessary, and handle customer issues. Throughout my employment, the Company has provided me with a van that is stocked with all necessary equipment, such as wiring, connectors, cable boxes, and modems.

5.

I voluntarily participate in a program where I am allowed to take a Company van to my home at the end of each day instead of parking it at a Company facility. I chose to take the van home because it is much more convenient for me to drive the van from my home rather than have to first come to the office to pick it up. Being able to drive the van home also saves me money on gas and wear and tear on my personal vehicle.

6.

When I was a regular technician, I would drive directly from my home to the customer location where my first job was assigned except on the weekly meeting days when I would drive directly to the office. As a lead technician, my morning routine varies depending on work requirements. Sometimes I will drive directly to a customer location to address an issue. Sometimes I will go directly to the office. Normally, however, I will drive my van to a parking lot within my general work area and clock in at the start of my shift.

7.

When I was a regular Field Technician, my general practice was to open my Company-supplied laptop at home approximately 30 minutes before the start of my shift. I would then use the laptop to access a program called WorkAssure, which inform me where my first customer location of the day was. The only reason I looked at WorkAssure at home was to determine where I needed to drive for my first job. The entire process of finding my first job location was fairly quick. It never took more than 10 minutes, and I was often performing personal tasks, such as brushing my teeth, while the laptop was starting up. For the past six months or so, the technicians have used iPads to access WorkAssure. Because the iPads don't have to boot up like laptops, it takes even less time to check the first job location on those – less than a minute.

8.

There is no need for a Field Technician to look over all of his assigned jobs in Work Assure prior to starting his shift. Technicians are working in their vans every day and should have a good idea of their equipment levels. Thus, there is no need for a technician to conduct an "inventory" of his van each morning. In the event that a technician finds that he does not have the necessary equipment on his van to complete a job, he will simply message or call a supervisor, lead or another technician, who will then deliver the equipment to him (or meet him somewhere to give him the equipment).

9.

As a Lead Field Technician, I have no need to look at WorkAssure at all while at home. This is because I am generally not assigned any work orders. Thus, I will normally just drive into the field, clock in at shift start, and then start my work.

10.

Field Technicians who take their vans home are not required to perform any sort of in-depth safety inspection prior to driving the Company vans each morning. As a matter of good practice, they should simply walk around the vehicle to make sure the tires are in good condition and the van hasn't been damaged while parked. Field Technicians might have to scrape ice from the windshields depending on weather, but that's no different than what they would have to do if they drove their personal vehicles.

11.

Field Technicians are allowed to use the Company van for minor personal errands if those tasks are along their routes. For example, a Field Technician would not get in trouble for stopping to pick up breakfast in the Company van while on their way to their first job location.

12.

Field Technicians should clock in at the start of their shifts, regardless of whether they are still driving to the first location.

13.

As a Lead Field Technician, I may need to call or email a Field Technician from time to time to ask him about various work matters. I do not, however, call them outside of their shifts. While, on rare occasions, I might email the technician outside of his shift, I never expect the technician to read that email or respond to it until he has clocked in the next workday.

14.

When I was a regular Field Technician, my general practice was not to pre-call customers absent unusual circumstances. For at least the past few months, Time Warner Cable has used an automatic system that will call customers once a technician has statused himself en route. Therefore, Field Technicians are not required to pre-call customers.

15.

Field Technicians who take their vans home with them are not required to unload or load a substantial amount of equipment. They need only take in some electronic items, such as their iPads, cell phones, GPS and DSAM meter. Those items are not bulky and can be taken into the home in a single trip.

16.

Time Warner Cable vans are equipped with power adapters that allow Field Technicians to charge their equipment throughout the day.

17.

For the past 6 months or so, Field Technicians have punched in and out for their lunches. Prior to that, the Company automatically deducted 30 minutes for their lunches. On those occasions when the technician is unable to take a lunch, he just needs to inform his supervisor, who will add the time back in. When I have worked through my lunch in the past, I followed this practice, and my supervisor always made sure I was paid for the time I worked.

18.

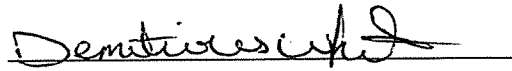
I understand that I am not required to provide the testimony in this declaration. I further understand that it would be a violation of the Company's policy for anyone to retaliate against me for providing or refusing to provide the testimony in this declaration. I have agreed to notify the Company immediately if I ever believe I am being subjected to any retaliation in violation of the Company's policies.

[SIGNATURE ON FOLLOWING PAGE]

I have provided this declaration voluntarily without any promise of benefit or threat of any kind. Prior to signing this declaration, I was advised of my right to seek independent legal advice, and was provided with a full opportunity to carefully review this declaration and freely make any corrections and additions of any kind. I verify that the information I have provided in this declaration is true and correct.

PURSUANT TO 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 20 day of January, 2016 at Rochester, New York.

A handwritten signature in black ink, appearing to read "Demetrious White", is written over a horizontal line.

DEMETRIOUS WHITE

DECLARATION OF JEREMY WILSON

I, Jeremy Wilson, do hereby declare as follows, based upon my personal knowledge of the matters contained herein:

1.

I am over 18 years of age and competent to testify to the matters stated in this declaration. I make this declaration based upon my personal knowledge. This declaration is given voluntarily. I have not been promised any benefit, coerced or threatened in any manner in exchange for the testimony in this declaration.

2.

I have worked as a Field Technician for Time Warner Cable for approximately 20 years. I currently work out of the Oneida office in New York, but I have also worked in the Rome and Ilion offices in the past. I have worked as a Lead Technician for approximately 3 years. As a Lead Technician, I am generally responsible for assisting other technicians during the day, conducting quality control, and various other duties, such as delivering supplies to technicians during the day.

3.

I was informed during training and by each of my supervisors thereafter that I am required to record all time worked. As a Lead Technician, I routinely inform my team members during weekly meetings that they need to make sure they record all of the time they perform work for the Company. Even as a Lead Technician, my supervisors stress to me not to perform any work outside of my shift.

4.

Field Technicians are responsible for traveling to Time Warner Cable customer residences and installing, removing and repairing services. To perform those duties, the Company provides the technicians with vans that are stocked with all necessary equipment, such as wiring, connectors, cable boxes, and modems.

5.

I voluntarily participate in a program where I am allowed to take a Company van to my home at the end of each day instead of parking it at a Company facility. I choose to participate in this program because it saves me gas and wear and tear on my personal vehicle.

6.

My morning routine changes based on the day. For example, some days I will go into the office at my shift start at 8:00 a.m., while others I would meet a team member at a customer residence for a job at shift start. Non-lead Field Technicians who take Company vans home would drive from their homes to the first customer location without first coming to the office.

7.

Generally, Field Technicians on my team who take the vans home with them are expected to log into a program called WorkAssure approximately 10-15 minutes prior to the start of their shifts to determine what the first job location of the day is. Field Technicians who do not take the vans home with them just go directly to the office before checking WorkAssure. Field Technicians use iPads to check WorkAssure. It takes a maximum of 5 minutes to start the iPad and look at WorkAssure to determine the address for the first job. No time is spent determining "routing" by the technicians. They simply look at WorkAssure to figure out their first job of the day and drive there.

8.

There is also no need for Field Technicians to conduct an inventory of their vans each morning prior to beginning their shifts. Field Technicians stock their vans during a meeting each week, on the clock. Thus, the vans are generally stocked with everything the technician needs during the week. If the technician's equipment does run low, however, he can simply call me or a supervisor, and we will drop the equipment off to them, have him meet another technician to pick up the equipment, or have him come into the office. Equipment should always be picked up/stocked while on the clock.

9.

Field Technicians are instructed to do a very basic safety check on their vehicles each morning prior to driving to their first job. That check consists only of walking around the vehicle and making sure the tires are not flat and that the lights are working. Doing this walk-around would take no more than a minute. Technicians also conduct a more in-depth vehicle safety inspection, on the clock, during meeting days.

10.

Field Technicians who drive Company vans from their homes to the first job location of the day are instructed to clock in at their shift-start time, regardless of whether they are still en route to the job location. Field Technicians who start their shifts at 8:00 a.m. are supposed to pre-call their first job of the day, but they generally do that after they have already driven to the customer location and have clocked in.

11.

As a Lead Technician, I have been instructed by my supervisor not to send emails or call team members prior to the start of their shifts.

12.

Field Technicians who take their vans home with them need only take their signal meter, iPad, and cell phone into their houses at the end of each day. These items are not bulky and can be easily carried in one trip. The vans are equipped with inverters or AC adapters, so technicians

are able to charge all of their equipment during the day. Thus, there is no reason why technicians would need to charge any equipment at their homes.

13.

Field Technicians are instructed to always take a 30-minute lunch. I always take my lunches and am not aware of any technician that was unable to take a full lunch.

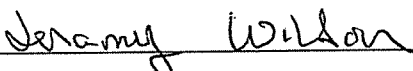
14.

I understand that I am not required to provide the testimony in this declaration. I further understand that it would be a violation of the Company's policy for anyone to retaliate against me for providing or refusing to provide the testimony in this declaration. I have agreed to notify the Company immediately if I ever believe I am being subjected to any retaliation in violation of the Company's policies.

I have provided this declaration voluntarily without any promise of benefit or threat of any kind. Prior to signing this declaration, I was advised of my right to seek independent legal advice, and was provided with a full opportunity to carefully review this declaration and freely make any corrections and additions of any kind. I verify that the information I have provided in this declaration is true and correct.

PURSUANT TO 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 19th day of January, 2016 at Syracuse, New York.


JEREMY WILSON